



A PDF text file of the project's approved environmental compliance package containing the letter of compliance completion, categorical exclusion form, environmental screening form, and any other associated environmental clearance forms, as applicable (e.g., Wilderness Minimum Requirement Analysis, Wild and Scenic River Section 7 Analysis). The signed originals of the package are on file in the Environmental Planning and Compliance Office at Yosemite National Park.

Letter of Compliance Completion

To: Caitlin Lee-Roney, Project Manager, Yosemite National Park

From: Cicely Muldoon, Superintendent, Yosemite National Park

Subject: NEPA and NHPA Clearance: 2022_139 Yosemite Valley Campground - Raspberry Trimming for Human-Bear Conflict Abatement (PEPC: 103329)

The Superintendent and park interdisciplinary team have reviewed the proposed project and completed an impact analysis and documentation, and have determined the following:

- The project has been assessed as Likely to Adversely Affect the California Red-Legged Frog. The project has been placed under the biological opinion for invasive plant management issued by the U.S. Fish and Wildlife Service. The effect determination means that while it is possible that the project may impact a few individuals, it will not result in a magnitude of impact that would jeopardize the species at the population or species level. All protection measures contained in the biological opinion will be applied to minimize potential effects to the species. The project will have no effect on other threatened, endangered, or rare species and/or their critical habitat.
- There will be no adverse effect to historic properties.
- There will not be serious or long-term undesirable environmental or visual effects.

The subject proposed project, therefore, is now cleared for all NEPA and NHPA compliance requirements as presented above. Project plans and specifications are approved and construction and/or project implementation can commence.

Required Mitigations

For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

General

- Staging areas for brush and equipment should be located on hardened (paved) surfaces.
- Only project actions described in PEPC 103329 are approved for implementation. Modifications to plans or additional actions require additional review and approval from the Yosemite National Park Environmental Planning and Compliance Office.

Wildlife

- All measures contained in the attached biological opinion (attached) will be followed. Wildlife will submit a work order to the Invasive Plant Program manager. Herbicides will only be applied by qualified personnel under the direction of the park's program manager for the Invasive Plant Management. All NPS personnel in charge of projects involving pesticide application will be Qualified Applicators as certified by the DPR. All contract applicators will be licensed by the State of California as appropriate. The Park will coordinate with the appropriate County Agricultural commissioner and obtain all required licenses and permits prior to pesticide application. Herbicide application will occur under dry conditions, outside of the breeding season, when California red-legged frogs are least likely to come in contact with the herbicide. Application crews will use an aquatic herbicide formulation in wetlands and within 10 feet of standing and moving water. Wetlands are defined by NPS standards (Federal Geographic Data Committee Wetlands Classification) and delineated by the Park aquatic ecologist or certified wetland delineator. Crews will also use aquatic herbicide formulations in non-wetland meadows if the non-wetland meadow is within Yosemite California red-legged frog overwintering habitat. No herbicide use is allowed in water. Application crews will take meteorological conditions in aquatic, wetland, and riparian habitats into account before and during spray hours to minimize the potential for dispersing amphibians to come in contact with sprayed areas. No herbicide application in aquatic wetland and riparian habitats will occur when: (1) wind speeds are greater than 10 miles per hour to minimize spray drift potential; and, (2) precipitation forecasted is greater than ¼ in. per hour. Work will be postponed after a precipitation event greater than ¼ in. per hour until site conditions are dry enough to avoid potential impacts (typically 24-72 hours).
- If the project occurs between May 1st and August 15th, vegetation must be surveyed for nesting migratory birds before removal or trimming. Once surveyed the project has 1 week to remove vegetation. If work is not completed within 1 week, vegetation must be resurveyed.

Archaeology

- No ground disturbance is authorized.

Visitors

- Whenever possible, an interpretative ranger or wildlife biologist will be in the area where the work is taking place to share the purpose behind the pruning of the raspberry bushes and to share biological information on native plants and Yosemite wildlife (particularly bears and bear safety).
- To the extent practical, work shall be scheduled to avoid construction activity and construction related delays during peak visitation times. No holiday or night time work shall be allowed. Weekend work (Friday through Sunday) shall not be allowed unless authorized in writing by the park superintendent.

Vegetation

- Slash (including tree boles below natural break and limbs) resulting from management activities will generally be removed, and/or lopped and scattered, chipped, piled and burned. Consult with Forester and Fire Management staff early in project to define appropriate treatments.

Safety

- Project proponent shall submit a Job Hazard Analysis and Safety Plan for review and approval by the Park Safety Office.

- Hard hats, safety vests, eye protection and other personal protective gear, as needed, shall be worn at all times when within the construction zone.
- Any damage to park resources must be reported immediately to the park project point of contact.
- Equipment must be free of any fluid leaks (fuel, oil, hydraulic fluid, etc.) upon arrival to the work site and will be inspected at the beginning of each shift for leaks. Leaking equipment will be removed off site for necessary repairs before the commencement of work.

Superintendent Signature: Cicely Muldoon **Date:** February 28, 2022

*The signed original of this document is on file
at the Environmental Planning and Compliance
Office in Yosemite National Park.*



Categorical Exclusion Documentation Form (CE Form)

Project: Yosemite Valley Campground - Raspberry Trimming for Human-Bear Conflict Abatement

PEPC Project Number: 103329

Description of Action (Project Description):

This project is proposing a reduction in raspberry fruits (through mechanical reduction) to mitigate incidences of human-bear conflict in Yosemite Valley campgrounds.

Problem: Bears enter the campgrounds to forage on raspberries, which leads to habituated behavior. Habituated behavior can lead to safety issues which may necessitate lethal management of habituated bears. Bears that become used to people (habituated) lessen their use of natural foods. Bears are opportunistic omnivores and will switch foraging locations depending on the availability of foods (Lewis et al. 2015). Human-wildlife conflict (or in this context human-bear conflict) can best be described as incidents where bears are considered to pose a threat to human safety, or whose actions may result in property damage or economic losses. Habituated bears are bears that have learned to tolerate people, vehicles, and human structures at close distances, and are typically not deterred by human presence or noise (Gunther 1994). Black bears have a strong tendency to adapt to the presence of people, increasing human-bear conflicts (McCullough 1982). Bears that frequent the Yosemite Valley campgrounds to forage on raspberries may be enticed by human food, which can lead to food conditioning (when bears seek humans and their developments for rewards), which ultimately decreases the fitness and survival of bears and puts visitors at increased risk of injury.

Background: The bear management team at Yosemite has used a variety of nonlethal deterrent techniques (or aversive conditioning) including noise, rubber slugs or bean bag rounds shot from a shotgun, pepper spray, and exposure to cracker shells - but these can be ineffective at altering bear behavior when strongly desirable conditions (ripe berry patches) are present. Some of the bears have been tagged or collared - tagging bears is done for better monitoring, and the ear tag color is completely random, used to help quickly identify a bear. Through this research, biologists know that the number of individual bears utilizing the Yosemite Valley campgrounds for foraging is increasing annually. Attempts at intentional harassing or hazing bears from the campgrounds have been unsuccessful. Several research studies have indicated that reducing access to fruiting vegetation can mitigate conflict between humans and bears (Lewis et al. 2015).

Proposal: Raspberry plants are perennial, but will produce canes that live for two years. The first year the cane is vegetative - no fruit. The second year that cane will produce fruit and die back in the fall. Management in the form of weed-eating and brush cutting would need to occur every other year to halt fruit production (proposing two years initially to see if this method works to reduce bear presence in the campgrounds). Manual mechanical reduction (weed-eating, mowing, and/or brush cutting) at 6-12 inches above the soil will allow for keeping native plant cover (resilient to non-native plant invasion) while significantly reducing berry production. Mechanical cutting of raspberry bushes will occur within 50 yards of Valley campgrounds (since park visitors are advised to stay a minimum of 50 yards from bears and other wildlife). No ground disturbance is anticipated. Pruning work will occur in the spring/early summer prior to fruit production. Spring removal could ensure activities are timed ahead of any bird nesting. Work is funding dependent but will ideally start in the Spring 2022.

Permanent removal of the raspberry plants with herbicide application is a less desirable option since they are a native plant and permanent removal would require revegetation of the area with native plants - and revegetating a site subject to frequent human disturbance is difficult, time consuming, and costly. Additionally, the berry plants are likely dispersed by native wildlife species (birds, small mammals, and bear) so reoccurrence of the raspberries is likely.

Any encounters with Himalayan and cut-leaf blackberry will be recorded and if time and staffing allows those will be treated with chemical herbicide (per the Invasive Plant Management Plan), which will serve to reduce the overall berry production and the length of time berries are produced near the campgrounds. Blackberries tend to produce later into the summer season than raspberries, so these treatments will reduce the length of time berries are available in Yosemite Valley campgrounds to attract the bears.

Gunther, K.A., 1994. Bear management in Yellowstone National Park, 1960-93. Bears: their biology and management, pp.549-560.

Lewis, D.L., Baruch-Mordo, S., Wilson, K.R., Breck, S.W., Mao, J.S. and Broderick, J., 2015. Foraging ecology of black bears in urban environments: guidance for human-bear conflict mitigation. Ecosphere, 6(8), pp.1-18.

McCullough, Dale R. 1982. Behavior, bears, and humans. Wildlife Society Bulletin 10(1): 27-33

Mitigation(s): See letter of compliance completion form.

CE Citation: 3.3.E.3 Removal of park resident individuals of non-threatened/endangered species which pose a danger to visitors, threaten park resources or become a nuisance in areas surrounding a park, when such removal is included in an approved resource management plan.

CE Justification: Within this context the native raspberry bushes meet the definition of a pest, and their removal will reduce the danger posed by habituated bears by reducing bear presence and human-bear interactions in Yosemite Valley campground.

Decision: I find that the action fits within the categorical exclusion above. Therefore, I am categorically excluding the described project from further NEPA analysis. No extraordinary circumstances apply.

Superintendent Signature: Cicely Muldoon **Date:** February 28, 2022

Extraordinary Circumstances:

| If implemented, would the proposal... | Yes/No | Explanation |
|---|--------|---|
| A. Have significant impacts on public health or safety? | No | None |
| B. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation, or refuge lands; wilderness areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds; and other ecologically significant or critical areas? | No | None |
| C. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources (NEPA section 102(2)(E))? | No | None |
| D. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks? | No | None |
| E. Establish a precedent for future action or represent a decision in principle about future actions with potentially significant environmental effects? | No | None |
| G. Have significant impacts on properties listed or eligible for listing on the National Register of Historic Places, as determined by either the bureau or office? | No | None |
| H. Have significant impacts on species listed or proposed to be listed on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species? | No | The project will implement the mitigations prescribed in the attached biological opinion for invasive plant treatment to minimize potential effects to the species. |
| I. Violate a federal, state, local or tribal law or requirement imposed for the protection of the environment? | No | None |
| J. Have a disproportionately high and adverse effect on low income or minority populations (EO 12898)? | No | None |
| K. Limit access to and ceremonial use of Indian sacred sites on federal lands by Indian religious practitioners or adversely affect the physical integrity of such sacred sites (EO 130007)? | No | None |
| L. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)? | No | None |



ENVIRONMENTAL SCREENING FORM (ESF)

Updated Sept 2015 per NPS NEPA Handbook

A. PROJECT INFORMATION

Project Title: Yosemite Valley Campground - Raspberry Trimming for Human-Bear Conflict Abatement

PEPC Project Number: 103329

Project Type: Other Natural/Cultural Resource Activities (NCR)

Project Location:

County, State: Mariposa, California

Project Leader: Caitlin Lee-Roney

B. PROJECT DESCRIPTION

See Categorical Exclusion form.

C. RESOURCE IMPACTS TO CONSIDER:

| Resource | Potential for Impact | Potential Issues & Impacts |
|--|----------------------|--|
| Air Air Quality | Potential | Issue: air quality Impact: There is a potential for air quality impacts due to the gas powered sting trimmers used in this project. The effect would be small and of short-term duration. |
| Biological Nonnative or Exotic Species | Potential | Issue: Invasive blackberries may be treated when encountered. Impact: Mitigations listed will be adhered to in order to limit impacts. Removing invasive species provides a resource benefit. |
| Biological Species of Special Concern or Their Habitat | Potential | Issue: red-legged frogs Impact: This project falls within an area where California red-legged frogs may occur. All measures contained in the attached biological opinion (attached) will be followed. |
| Biological Vegetation | Potential | Issue: Trimming raspberry bushes Impact: Trimming raspberry bushes will have minor impacts to wooded areas surrounding camp grounds. Impacts are expected to fall within the applied CE category. |

| Resource | Potential for Impact | Potential Issues & Impacts |
|--|-----------------------------|--|
| Biological Wildlife and/or Wildlife Habitat including terrestrial and aquatic species | Potential | Issue: wildlife Impact: Reducing human bear interactions will have a beneficial impact on wildlife. |
| Cultural Archeological Resources | None | None |
| Cultural Cultural Landscapes | None | None |
| Cultural Ethnographic Resources | None | None |
| Cultural Museum Collections | None | None |
| Cultural Prehistoric/historic structures | None | None |
| Geological Geologic Features | None | None |
| Geological Geologic Processes | None | None |
| Lightscares | None | None |
| Other Human Health and Safety | Potential | Issue: visitors Impact: Noise of operations may affect visitors, but will be of short duration during daylight hours. |
| Other Operational | None | None |
| Other | None | None |
| Socioeconomic Land Use | None | None |
| Socioeconomic Minority and low- income populations, size, migration patterns, etc. | None | None |
| Socioeconomic | None | None |

| Resource | Potential for Impact | Potential Issues & Impacts |
|---|-----------------------------|--|
| Soundscapes | Potential | Issue: noise from trimming operations Impact: Noise will be of short duration and during daylight hours. |
| Viewsheds | None | None |
| Visitor Use and Experience Recreation Resources | None | None |
| Visitor Use and Experience Visitor Use and Experience | Potential | Issue: visitor use Impact: Project operations may affect visitors, but will be of short duration and during daylight hours. |
| Water Floodplains | None | None |
| Water Marine or Estuarine Resources | None | None |
| Water Water Quality or Quantity | None | None |
| Water Wetlands | None | None |
| Water Wild and Scenic River | None | None |
| Wilderness | None | None |



ASSESSMENT OF ACTIONS HAVING AN EFFECT ON HISTORIC PROPERTIES

A. DESCRIPTION OF UNDERTAKING

1. **Park:** Yosemite National Park

2. **Project Description:**

Project Name: Yosemite Valley Campground - Raspberry Trimming for Human-Bear Conflict Abatement

Prepared by: Erin Davenport **Date Prepared:** **Telephone:** (209) 379-1067

PEPC Project Number: 103329

Locations:

County, State: Mariposa, CA

Describe project:

See Categorical Exclusion form.

Area of potential effects (as defined in 36 CFR 800.16[d])

All staging and work will be completed within the boundaries of the North, Upper, and Lower Pines Campground. Maps provided in PEPC step 1.

3. **Has the area of potential effects been surveyed to identify historic properties?**

4. **Potentially Affected Resource(s):**

Archeological Resources Present: Yes

Property Name: Yosemite Valley Archeological District **LCS:**

Historical Structures/Resources Present: Yes

Property Name: Yosemite Valley Historic District **LCS:**

Cultural Landscapes Present: Yes

Property Name: Yosemite Valley Historic District **LCS:**

Ethnographic Resources Present: Yes

5. **The proposed action will: (check as many as apply)**

| Yes/No | The proposed action will... |
|--------|---|
| No | Destroy, remove, or alter features/elements from a historic structure |
| No | Replace historic features/elements in kind |
| No | Add non-historic features/elements to a historic structure |

| Yes/No | The proposed action will... |
|--------|---|
| Yes | Alter or remove features/elements of a historic setting or environment (inc. terrain) |
| No | Add non-historic features/elements (inc. visual, audible, or atmospheric) to a historic setting or cultural landscape |
| No | Disturb, destroy, or make archeological resources inaccessible |
| No | Disturb, destroy, or make ethnographic resources inaccessible> |
| No | Potentially affect presently unidentified cultural resources |
| No | Begin or contribute to deterioration of historic features, terrain, setting, landscape elements, or archeological or ethnographic resources |
| No | Involve a real property transaction (exchange, sale, or lease of land or structures) |
| No | Other (please specify): |

6. Supporting Study Data:

(Attach if feasible; if action is in a plan, EA or EIS, give name and project or page number.)

B. REVIEWS BY CULTURAL RESOURCE SPECIALISTS

The park 106 coordinator requested review by the park's cultural resource specialist/advisors as indicated by check-off boxes or as follows:

[X] 106 Advisor

Name: Hope Schear

Date: 02/01/2022

Comments: Compliance complete. No HA/HLA required. Yosemite PA Streamlined Category Review 5d.

Check if project does not involve ground disturbance []

Assessment of Effect: ___No Potential to Cause Effect ___No Historic Properties Affected X No

Adverse Effect ___Adverse Effect ___Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Park Specific or Other Programmatic Agreement

[X] Anthropologist

Name: Hope Schear

Date: 02/01/2022

Comments: Project presented on October Tribal Spreadsheet. No comments or concerns received within 30 day review period.

Check if project does not involve ground disturbance []

Assessment of Effect: ___No Potential to Cause Effect ___No Historic Properties Affected X No

Adverse Effect ___Adverse Effect ___Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Park Specific or Other Programmatic Agreement

[X] Archeologist

Name: Erin Davenport

Date: 10/19/2021

Comments: Mechanical thinning every 2 years will consist of weed-eating, mowing, and brush cutting 6-12 inches above the ground surface every 2 years. Staging areas for brush and equipment should be located on hardened (paved) surfaces.

Check if project does not involve ground disturbance ☒ **X**

Assessment of Effect: ☐ No Potential to Cause Effect ☐ No Historic Properties Affected ☒ **X** No Adverse Effect ☐ Adverse Effect ☐ Streamlined Review

Recommendations for conditions or stipulations:

Doc Method: Park Specific or Other Programmatic Agreement

No Reviews From: Curator, Historical Architect, Historian, Other Advisor, Historical Landscape Architect

C. PARK SECTION 106 COORDINATOR'S REVIEW AND RECOMMENDATIONS

1. Assessment of Effect:

| Select with X | Assessment of Effect |
|-------------------------|---------------------------------|
| n/a | No Potential to Cause Effects |
| n/a | No Historic Properties Affected |
| X | No Adverse Effect |
| n/a | Adverse Effect |

2. Documentation Method:

☐ **A. Standard 36 CFR Part 800 Consultation**

Further consultation under 36 CFR Part 800 is needed.

☐ **B. Streamlined Review Under the 2008 Servicewide Programmatic Agreement (PA)**

The above action meets all conditions for a streamlined review under section III of the 2008 Servicewide PA for Section 106 compliance.

Applicable Streamlined Review Criteria
(Specify 1-16 of the list of streamlined review criteria.)

☒ **C. Undertaking Related to Park Specific or Another Agreement**

The proposed undertaking is covered for Section 106 purposes under another document such as a park, region or statewide agreement established in accord with 36 CFR 800.7 or 36 CFR 800.14: Yosemite PA Streamlined Category Review 5d.

☐ **D. Combined NEPA/NHPA Process**

Process and documentation required for the preparation of an EA/FONSI or an EIS/ROD to comply with Section 106 is in accord with 36 CFR 800.8.c.

☐ **E. Memo to Project File**

3. Consultation Information

SHPO Required: No
SHPO Sent:
SHPO Received:

THPO Required: Yes
THPO Sent: October 2021
THPO Received: No Comments after 30 days

SHPO/THPO Notes:

Advisory Council Participating: No
Advisory Council Notes:
Additional Consulting Parties: No

4. Stipulations and Conditions: Following are listed any stipulations or conditions necessary to ensure that the assessment of effect above is consistent with 36 CFR Part 800 criteria of effect or to avoid or reduce potential adverse effects.

5. Mitigations/Treatment Measures: Measures to prevent or minimize loss or impairment of historic/prehistoric properties: (Remember that setting, location, and use may be relevant.)

Required Mitigations - For the proposed project actions to be within compliance requirements during construction and/or project implementation, the following mitigations must be adhered to:

- Staging areas for brush and equipment should be located on hardened (paved) surfaces.
- No ground disturbance is authorized.

6. Assessment of Effect Notes:

5.d) Removal, pruning, topping, trimming, and limbing of trees and vegetation to provide for tree health or to address critical health/safety conditions along roadways, road prisms, utility corridors, trails, and developed areas. The park shall use directional falling and limbing to avoid damage to archeological sites. The park shall implement removal to avoid disturbance to archeological sites, and shall require an archeological monitor if recommended by the CRM Team. Logs left in place should not generate risk of indirect effects to historic properties from intense burning.

D. RECOMMENDED BY PARK SECTION 106 COORDINATOR:

Section 106 Coordinator Hope Schear **Date:** February 23, 2022
Signature: _____

E. SUPERINTENDENT'S APPROVAL

The proposed work conforms to the NPS *Management Policies* and *Cultural Resource Management Guideline*, and I have reviewed and approve the recommendations, stipulations, or conditions noted in Section C of this form.

Superintendent Signature: Cicely Muldoon **Date:** February 28, 2022



Other Compliance/Consultations Form

Park Name: Yosemite National Park

PEPC Project Number: 103329

Project Title: Yosemite Valley Campground - Raspberry Trimming for Human-Bear Conflict Abatement

Project Type: Other Natural/Cultural Resource Activities : Human-Wildlife Conflict

Project Location:

County, State: Mariposa, CA

Project Leader: Caitlin Lee-Roney

ESA

Any Federal Species in the project Area? Yes

If species in area: Likely to Adversely Affect

Was Biological Assessment prepared? Yes

Sent to FWS: May 23, 2019

FWS Response: May 29, 2020

Sent to NMFS:

NMFS Response:

If Biological Assessment prepared, concurred? Yes

Formal Consultation required? No

Formal Consultation Notes:

California red-legged frogs are present in the project area and susceptible to impacts from herbicide use. The project is being placed under the 2020 biological opinion (BO), "Formal Consultation on Yosemite National Park's Invasive Plant Management Plan, Yosemite National Park, Madera, Mariposa, and Tuolumne Counties, California" (attached).

[REDACTED]

Due to the potential use of herbicides and the overlap with potentially occupied California red-legged frog habitat, this project has been assessed as likely to adversely affect the California red-legged frog.

The park has no concerns related to other park listed species.

Formal Consultation Concluded:

Any State listed Species in the Project Area? No

Consultation Information:

General Notes: Protection measures for California red-legged frogs: All measures contained in the attached biological opinion will be followed. Herbicides will be applied only from September to November. Herbicide application will occur under dry conditions, outside of the breeding season, when California red-legged frogs are least likely to come in contact with the herbicide. Application crews will use an aquatic herbicide formulation in wetlands and within 10 feet of standing and moving water. Wetlands are defined by NPS standards (Federal Geographic Data Committee Wetlands Classification) and delineated by the Park aquatic ecologist or certified wetland delineator. Crews will also use aquatic herbicide formulations in non-wetland meadows if the non-

wetland meadow is within Yosemite California red-legged frog overwintering habitat. No herbicide use is allowed in water. Application crews will take meteorological conditions in aquatic, wetland, and riparian habitats into account before and during spray hours to minimize the potential for dispersing amphibians to come in contact with sprayed areas. No herbicide application in aquatic wetland and riparian habitats will occur when: (1) wind speeds are greater than 10 miles per hour to minimize spray drift potential; and, (2) precipitation forecasted is greater than ¼ in. per hour. Work will be postponed after a precipitation event greater than ¼ in. per hour until site conditions are dry enough to avoid potential impacts (typically 24-72 hours). Herbicides will only be applied by qualified personnel under the direction of the park's program manager for the Invasive Plant Management. All NPS personnel in charge of projects involving pesticide application will be Qualified Applicators as certified by the DPR. All contract applicators will be licensed by the State of California as appropriate. The Park will coordinate with the appropriate County Agricultural commissioner and obtain all required licenses and permits prior to pesticide application.

Data Entered By: Ninette Daniele

Date: Nov 4, 2021

ESA Mitigations

| Mitigation ID | Text |
|---------------|---|
| 123761 | All measures contained in the attached biological opinion (attached) will be followed. Wildlife will submit a work order to the Invasive Plant Program manager. Herbicides will only be applied by qualified personnel under the direction of the park's program manager for the Invasive Plant Management. All NPS personnel in charge of projects involving pesticide application will be Qualified Applicators as certified by the DPR. All contract applicators will be licensed by the State of California as appropriate. The Park will coordinate with the appropriate County Agricultural commissioner and obtain all required licenses and permits prior to pesticide application. Herbicide application will occur under dry conditions, outside of the breeding season, when California red-legged frogs are least likely to come in contact with the herbicide. Application crews will use an aquatic herbicide formulation in wetlands and within 10 feet of standing and moving water. Wetlands are defined by NPS standards (Federal Geographic Data Committee Wetlands Classification) and delineated by the Park aquatic ecologist or certified wetland delineator. Crews will also use aquatic herbicide formulations in non-wetland meadows if the non-wetland meadow is within Yosemite California red-legged frog overwintering habitat. No herbicide use is allowed in water. Application crews will take meteorological conditions in aquatic, wetland, and riparian habitats into account before and during spray hours to minimize the potential for dispersing amphibians to come in contact with sprayed areas. No herbicide application in aquatic wetland and riparian habitats will occur when: (1) wind speeds are greater than 10 miles per hour to minimize spray drift potential; and, (2) precipitation forecasted is greater than ¼ in. per hour. Work will be postponed after a precipitation event greater than ¼ in. per hour until site conditions are dry enough to avoid potential impacts (typically 24-72 hours). |

Floodplains/Wetlands/§404 Permits

| Question | Yes/No | Details |
|--|--------|---|
| A.1. Is project in 100- or 500-year floodplain or flash flood hazard area? | Yes | Determined to be exempt from compliance with Director's Order #77-2 and no Floodplain Statement of Findings required. |
| A.2. Is Project in wetlands as defined by NPS/DOI? | No | Not in wetland as defined by NPS/DOI. |

| Question | Yes/No | Details |
|---|--------|--|
| B. COE Section 404 permit needed? | No | No placement of fill in waters of the United States. |
| C. State 401 certification? | No | None |
| D. State Section 401 Permit? | No | Issue Date: Expiration Date: |
| E. Tribal Water Quality Permit? | No | None |
| F. CZM Consistency determination needed? | No | Date Review Requested: Date Reply Received: Date State Concurred: |
| G. Erosion & Sediment Control Plan Required? | No | None |
| H. Any other permits required? | No | Permit Information: |
| Other Information: | No | None |

Floodplains & Wetlands Mitigations

No Floodplains & Wetlands mitigations are associated with this project.

Wilderness

| Question | Yes/No | Notes |
|--|--------|--|
| A. Does this project occur in or adjacent to Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness? | No | None |
| B. Is the only place to conduct this project in wilderness? | No | None |
| C. Is the project necessary for the administration of the area as wilderness? | No | None |
| D. Would the project or any of its alternatives adversely affect (directly or indirectly) Designated, Recommended, Proposed, Study, Eligible, or Potential Wilderness? (If Yes, Minimum Requirements Analysis required) | No | None |
| E. Does the project or any of its alternatives involve the use of any of the Wilderness Act Section 4(c) prohibited uses: commercial enterprise, permanent road, temporary road, motor vehicles, motorized equipment, motorboats, landing of aircraft, mechanical transport, structure, or installation? (If Yes, Minimum Requirements Analysis required) | No | None |
| If the answer to D or E above is "Yes" then a Minimum Requirements Analysis is required. Describe the status of this analysis in the column to the right. | N/A | Initiation Date: Completed Date: Approved Date: |
| Other Information: | No | None |

Other Permits/Laws *Questions A & B are no longer used.*

| Question | Yes/No |
|--|--------|
| C. Wild and scenic river concerns exist? | No |
| D. National Trails concerns exist? | No |
| E. Air Quality consult with State needed? | No |
| F. Consistent with Architectural Barriers, Rehabilitation, and Americans with Disabilities Acts or not Applicable? (If N/A check Yes) | No |
| G. Other: | No |

Other Information:

Project location maps

